

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

GARY TIPTON, : CASE NO.: 20cv-4843

: JUDGE MORRISON
Plaintiff, MAGISTRATE JUDGE
VASCURA

v. :

OHIOHEALTH GRADY MEMORIAL
HOSPITAL, *et al.*, :

Defendants. :

OPINION AND ORDER

This matter is before the Court upon consideration of a Report and Recommendation (R&R) issued by the Magistrate Judge on August 26, 2021. (ECF No. 37). In that filing, the Magistrate Judge recommended that Defendant OhioHealth Grady Memorial Hospital's Second Motion to Dismiss (ECF No. 33) and Plaintiff Gary Tipton's Motion for Leave to File Surreply (ECF No. 36) be denied. The time for filing objections has passed, and no objections have been filed. For the reasons set forth in the R&R, the Court hereby **ADOPTS** the R&R (ECF No. 37), **DENIES** OhioHealth's Second Motion to Dismiss (ECF No. 33), and **DENIES** Plaintiff's Motion for Leave to File Surreply (ECF No. 36).

IT IS SO ORDERED.

s/ Sarah D. Morrison
SARAH D. MORRISON
UNITED STATES DISTRICT JUDGE